

CRIMINAL DOCKET
UNITED STATES DISTRICT COURT

73-CR-143

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p>THE UNITED STATES</p> <p>vs.</p> <p>SALVADOR CRUZ</p>	<p>For U. S.:</p> <p>Ben F. Baker</p> <p>For Defendant:</p> <p>Eric Anderson (Appt) 231 Beacon Bldg. Tulsa, Ok. 74103 584-6855</p>

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 12-1-73	Clerk					
J.S. 3 mailed 2-1-74	Marshal					
Violation Trans/aliens	Docket fee					
Title 8						
Sec. 1324(a)(2)						
\$2,000 and/or 5 yrs)						
12 Counts						

DATE	PROCEEDINGS
11-19-73	Def. present in person and represented by Eric Anderson, appt. counsel. The govt rep. by Ben F. Baker. Def. waives Indictment; waiver signed and filed. Information filed, def. arraigned and enters plea of NOT GUILTY as to Cts. 1 thru 12, and case passed to next jury docket. Def. granted 10 days to file motions. Def requests waiving jury, govt objects, and request denied. Def's request for reduction of bond under consideration, and present bond to remain. (Def. remanded to U.S. Marshal. (AEB-J)h
11-19-73	Appl. of Deft. to Detain Witnesses, filed. v (o)
11-20-73	Application for order withdrawing application filed by def.h
11-20-73	Minute Order: It is ordered that application of deft for order withdrawing application to detain witnesses is granted and application withdrawn by minute order.(AEB-J)h
11-28-73	Appl. to Reduce Amt. of Bail, filed.jj 0 to J
12-4-73	Response of USA to def. mo/reduction of bail, filed. rm

DATE	PROCEEDINGS
12-7-73	Application of deft. for permission to file motion out of time, filed.g
12-7-73	Order granting leave to file mot. to suppress out of time, filed.(AEB-J)g
12-7-73	Motion of defendant to suppress evidence, filed. g
12-7-73	Brief in support of motion to suppress evidence, filed. g
12-7-73	Order, filed, XXX (AEB-J), (Bond is reduce from \$5,000.00 cash to 10% Bond)
12-11-73	Plaintiff's response to defendant's motion to suppress evidence, filed. ds <i>Copy to Leon</i>
12-11-73	Case set for Non-Jury trial on Monday, 1-21-74 at 10:00 am.(AEB-J)h
12-18-73	Defendant present in person and rep. by Eric Anderson. The government rep. by Ben Baker. Statements made, and it is ordered by the court that deft's motion to suppress evidence is overruled. Deft gives oral notice of appeal. Appl. to reduce bond hertofore granted and reduced to 10% bond. Deft does not waive jury, therefore case set for jury trial on Monday, Jan 7, 1974 at 9:30 am.(AEB-J)h
12-21-73	Motion of def. to reopen mo/suppress, filed. rm 12-27-73
12-21-73	Order to Reopen Hearing (on mo/suppress) set at 11-:30 a.m. (AEB-J). filed 35
12-21-73	Order Overruling Motion to Suppress Evidence, filed (AEB-J) (this is on the hearing of 12-18-73). js
12-26-73	Minute Order: It is ordered that the hearing on the Motion to Suppress Evidence that was set for Dec. 27, 1973 at 11:30 A.M. is stricken and re-set for Jan. 3, 1974 at 10:00 A.M. (AEB-J)e
1-3-74	Def. appears in person and rep. by Eric Anderson. The government rep. by Ben Baker. Witnesses Salvador Cruz and Paul Cheadle sworn. Hearing held on Motion to Suppress Evidence. Def's Motion to Suppress Evidence overruled. (AEB-J)e
1-7-74	Case called for jury trial. Def. present and rep. Case passed to 1-8-74 at 10:00 A.M. (AEB-J)e
1-8-74	Case tried to a Jury Jan. 8,9, 1974. Deft. present and rep. Parties announce ready. Interpreter, Mr. De Leon, sworn. At end of noon recess on Jan. 8, deft.'s counsel renews Motion to Suppress and it is overruled. Upon pltf's closing, deft. renews Motion to Suppress and moves for judgment of acquittal and both motions are overruled. Parties rest. Closing arguments made. Instructions given to Jury. Jury retires to deliberate at 3:25 p.m. Jury returns with verdict at 3:59 p.m. Verdicts ordered, received, read and filed in open court, finding the deft. guilty on each of twelve counts. Jury discharged at 4:05 p.m. Upon application of gov't counsel and no objection by defense counsel, verdicts are each amended instanter to read "Information" instead of "Indictment". <u>Order dissolving bail for witnesses signed and filed in open court.</u> Deft. advised of his right to appeal within ten (10) days from this date. Deft. remanded to custody of U.S. Marshall Sentencing set for 1-11-74 at 10:00 a.m. (AEB-J)e
1-9-74	Trial exhibits filed...(only Plaintiff's exhibit No. 2==Plaintiff's exhibit No. 1 objected to by deft. and Court denies admission).
1-9-74	Twelve (12) verdicts filed in open court finding the deft. guilty as charged in each of twelve counts.

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DATE	PROCEEDINGS
1-11-74	<p>Def. present and represented. Deft. asked if he has anything to say before sentence is pronounced. Deft's counsel directed to act as interpreter for defendant.</p> <p>Judgment and Sentence---Salvador Cruz Ct. 1-Atty. Gen Eighteen (18) Months Ct 2,3,4,5&6--Atty. Gen. 18 mos/to run concurrently with sentence in Ct. 1 Ct. 7-- Imposition of Sentence suspended and defendant Placed on probation for a period of 2 yrs, to begin at the expiration of sentence imposed in Ct. 1 Ct. 8,9,10,11&12---2 yrs probation as to ea. ct., to run concurrently with probation in Ct. 7 Deft. advised of his right to appeal at govt's expense. Ct. recommends that deft. be incarcerated at the institution nearest his family in , Texas. (AEB-J)e</p>
1-11-74	J&C filed and entered. Two cc's to U.S. Marshall; two cc's to Prob. Office
1-15-74	Notice of appeal by def. from Order overruling mo/suppress evidence entered on 1/9/74, filed. rm (copies to US Atty and USCA)
1-25-74	Reporter's Transcript of Proceedings had on Jan. 3, 1974 Hearing on Motion to Suppress filed. (original and one copy) e
2-6-74	J & C returned & filed; Defendant, Salvador Cruz was Delivered to FCI at Seagoville, Texas on Jan.21, 1974.s
2-8-74	Appeal record (orig. + 3 cpies of 2 vols.) sent to USCA. g
6-26-74	Mandate & Opinion of USCA affirming judgment of 1-11-74, filed and spread of record. g
6-28-74	Appeal record (2 vols.) rec'd from USCA. g
2-5-76	Report and Order Terminating Probation Prior to Orig. Expiration Date, filed. (AEB-J)v -cps mld.

DATE	PROCEEDINGS